Francisco Tool Co., 120 Cal. 228; *Clark et al.* v. *Pope et al.* 70 Ill. 128; *Bentley and others* v. *The State*, 73 Wis. 416.

NEGLIGENCE.—EMPLOYMENT OF CHILD IN VIOLATION OF STATUTE.—LIABILITY OF EMPLOYER FOR INJURY.—A statute of Pennsylvania provides that the employment of children under fourteen years of age in certain "establishments" is illegal, but despite this provision, the defendants employed the plaintiff, who was under fourteen, in their shops where he was injured while cleaning a fan wheel, without the scope of his employment and at his own volition. *Held* that the employment in violation of the law was negligence and the defendants were liable. *Stehle* v. *Jaeger Automatic Mach. Co.* (1909)—Pa.—, 74 Atl. 215.

An infant may, at common law, contract for the performance of personal services or labor (*Texas & P. R. Co.* v. *Carlton*, 60 Tex. 397; *Monaghan* v. *School Dist.*, 38 Wis, 100,) but his obligation is voidable at his election. *Dubé* v. *Beaudry*, 150 Mass. 448, 23 N. E. 222, 6 L. R. A. 146; *Burdett* v. *Williams*, 30 Fed. 697. However, once a minor is employed, greater care is due toward him from the employer than in the case of an adult. *Rolling Mill Co.* v. *Corrigan* 46 Ohio St. 283, 20 N. E. 466; *Texas & P. R. Co.* v. *Carlton*, supra. The presumption in most of the states now is that servants younger than the age fixed by statute regarding the employment of children, have not sufficient capacity to be sensible of danger and cannot, therefore, be guilty of contributory negligence. *Rolling Mill Co.* v. *Corrigan*, supra; *Tutweiler Coal, etc., Co.* v. *Enslen*, 129 Ala. 336, 30 South 600. The employment of a minor where forbidden by statute is negligence *per se*. *Morris* v. *Stanfield*, 81 Ill. App. 264; *Hickey* v. *Taaffe*, 32 Hun 7; *Cooke* v. *Lalance Grosjean Mfg. Co.*, 33 Hun 351; *Queen* v. *Dayton Coal etc. Co.*, 95 Tenn. 458, 32 S. W. 460, 30 L. R. A. 82. And the infant is entitled to sue for damages for personal injuries received through negligence of the employer. *Georgia Pac. R. Co.* v. *Propst* 83 Ala. 518, 3 South 764; *Hartfield* v. *Roper*, 21 Wend. 615, 34 Am. Dec 273.

NEGLIGENCE—HOSPITALS—LIABILITY FOR NEGLIGENCE OF SERVANTS.—The plaintiff on his return from Africa in bad health entered the defendants' hospital as a free patient. He was placed under anaesthetics and when he recovered consciousness he found that his arm had been badly burned and bruised through the negligence of an employee of the defendants, it having been allowed to come into contact with the heating appliance under the operating table. In this action by plaintiff claiming damages for negligence, *Held* that the only duty undertaken by the defendants is to use due care in the selection of the medical staff and unless it is shown that they have failed in this duty they are not liable for negligence of such staff. *Hillyer* v. *St. Bartholomew's Hospital* (*Governors*) [1909], 2 K. B. 820, 78 L. J. K. B. 958.

A charitable corporation is not liable for injuries resulting from the negligent acts of a servant in the course of his employment when care has been exercised in his selection. 5MICH. L. REV. 552, 662; *Hearns* v. *Waterbury Hospital*, 66 Conn. 98, 33 Atl. 595, 31 L. R. A. 224; *Pepke* v. *Grace Hospital*, 130 Mich. 493, 90 N. W. 278; *Fire Ins. Patrol* v. *Boyd*, 120 Pa. St. 624, 15 Atl. 553, 6 Am. St. Rep. 745; *Heriot's Hospital* v. *Ross*, 12 Cl. & Fin. 507. A hos-